

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-12563

AFFORDABLE AERIAL PHOTOGRAPHY, INC.,

Plaintiff-Appellee,

versus

PROPERTY MATTERS USA, LLC,

Defendant-Appellant,

HOME JUNCTION INC.,

Defendant.

Appeal from the United States District Court
for the Southern District of Florida

D.C. Docket No. 2:22-cv-14296-AMC

ORDER:

The parties are DIRECTED to brief the following question: Whether, regardless of the statute of limitations, Property Matters can be considered a “prevailing party” under 17 U.S.C. § 505 given this Court’s decision in *United States v. \$70,670.00 in U.S. Currency*, 929 F.3d 1293 (11th Cir. 2019)?

That decision raises a question about whether a prevailing party exists in a case in which all claims were voluntarily dismissed without prejudice. The parties are requested to brief this case, as well as any other cases relevant to this issue.

Both parties’ briefs are due within 10 days after the date of this order and shall not exceed 8,000 words.

DAVID J. SMITH
Clerk of the United States Court of
Appeals for the Eleventh Circuit

ENTERED FOR THE COURT - BY DIRECTION